IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 7447 of 2007(J)

PETITIONER:

DR.SHIAM MOHAN,
RETIRED CIVIL SURGEON,
VELIYANOOR HOUSE, SOPANAM,
PATTALAKINAR ROAD, P.O.CHIYYARAM,
THRISSUR.

BY ADV. SMT.JAYASREE MANOJ
SRI.M.RISHIKESH SHENOY

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY,
HEALTH DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF HEALTH SERVICES,
TRIVANDRUM.

3. THE DISTRICT MEDICAL OFFICER OF
HEALTH, MALAPPURAM.

4. THE MEDICAL OFFICER,
PUBLIC HEALTH CENTRE,
KUTTIPURAM.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 7447 OF 2007

Dated this the 16th March, 2007.

JUDGMENT

Counsel for the petitioner submits that the petitioner has been paid terminal benefits including DCRG and regular pension. It is however submitted that for delay on the part of the respondents in granting benefits, the petitioner shall be paid interest.

2. The date of retirement of the petitioner is 28.2.2006. Interest claimed is in the nature of compensation. It would require consideration of all relevant aspects. The materials now available on record are not adequate to arrive at a just and proper decision. Hence the petitioner shall file a representation before the Government furnishing all relevant facts and circumstances in support of his claim for interest. If such a representation is filed the first respondent shall consider the same, take appropriate decision and communicate the same to the petitioner as early as possible. Reserving that right of the petitioner writ petition is disposed of.

K.K.DENESAN
Judge

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